

ESTTA Tracking number: **ESTTA618492**

Filing date: **07/30/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212176
Party	Plaintiff Cardillo, Inc.
Correspondence Address	Cheryl Clarkin, Esq. Barlow, Josephs & Holmes 101 Dyer Street, 5th Floor Providence, RI 02903 UNITED STATES cac@barjos.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Cheryl A. Clarkin
Filer's e-mail	cac@barjos.com
Signature	/cac/
Date	07/30/2014
Attachments	notice of reliance.pdf(131517 bytes )

1  
 2  
 3  
 4  
 5  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36  
 37  
 38  
 39  
 40  
 41  
 42  
 43  
 44  
 45  
 46  
 47  
 48  
 49  
 50  
 51  
 52  
 53  
 54  
 55  
 56  
 57  
 58  
 59  
 60  
 61  
 62  
 63  
 64  
 65  
 66  
 67  
 68  
 69  
 70  
 71  
 72  
 73  
 74  
 75  
 76  
 77  
 78  
 79  
 80  
 81  
 82  
 83  
 84  
 85  
 86  
 87  
 88  
 89  
 90  
 91  
 92  
 93  
 94  
 95  
 96  
 97  
 98  
 99  
 100  
 101  
 102  
 103  
 104  
 105  
 106  
 107  
 108  
 109  
 110  
 111  
 112  
 113  
 114  
 115  
 116  
 117  
 118  
 119  
 120  
 121  
 122  
 123  
 124  
 125  
 126  
 127  
 128  
 129  
 130  
 131  
 132  
 133  
 134  
 135  
 136  
 137  
 138  
 139  
 140  
 141  
 142  
 143  
 144  
 145  
 146  
 147  
 148  
 149  
 150  
 151  
 152  
 153  
 154  
 155  
 156  
 157  
 158  
 159  
 160  
 161  
 162  
 163  
 164  
 165  
 166  
 167  
 168  
 169  
 170  
 171  
 172  
 173  
 174  
 175  
 176  
 177  
 178  
 179  
 180  
 181  
 182  
 183  
 184  
 185  
 186  
 187  
 188  
 189  
 190  
 191  
 192  
 193  
 194  
 195  
 196  
 197  
 198  
 199  
 200  
 201  
 202  
 203  
 204  
 205  
 206  
 207  
 208  
 209  
 210  
 211  
 212  
 213  
 214  
 215  
 216  
 217  
 218  
 219  
 220  
 221  
 222  
 223  
 224  
 225  
 226  
 227  
 228  
 229  
 230  
 231  
 232  
 233  
 234  
 235  
 236  
 237  
 238  
 239  
 240  
 241  
 242  
 243  
 244  
 245  
 246  
 247  
 248  
 249  
 250  
 251  
 252  
 253  
 254  
 255  
 256  
 257  
 258  
 259  
 260  
 261  
 262  
 263  
 264  
 265  
 266  
 267  
 268  
 269  
 270  
 271  
 272  
 273  
 274  
 275  
 276  
 277  
 278  
 279  
 280  
 281  
 282  
 283  
 284  
 285  
 286  
 287  
 288  
 289  
 290  
 291  
 292  
 293  
 294  
 295  
 296  
 297  
 298  
 299  
 300  
 301  
 302  
 303  
 304  
 305  
 306  
 307  
 308  
 309  
 310  
 311  
 312  
 313  
 314  
 315  
 316  
 317  
 318  
 319  
 320  
 321  
 322  
 323  
 324  
 325  
 326  
 327  
 328  
 329  
 330  
 331  
 332  
 333  
 334  
 335  
 336  
 337  
 338  
 339  
 340  
 341  
 342  
 343  
 344  
 345  
 346  
 347  
 348  
 349  
 350  
 351  
 352  
 353  
 354  
 355  
 356  
 357  
 358  
 359  
 360  
 361  
 362  
 363  
 364  
 365  
 366  
 367  
 368  
 369  
 370  
 371  
 372  
 373  
 374  
 375  
 376  
 377  
 378  
 379  
 380  
 381  
 382  
 383  
 384  
 385  
 386  
 387  
 388  
 389  
 390  
 391  
 392  
 393  
 394  
 395  
 396  
 397  
 398  
 399  
 400  
 401  
 402  
 403  
 404  
 405  
 406  
 407  
 408  
 409  
 410  
 411  
 412  
 413  
 414  
 415  
 416  
 417  
 418  
 419  
 420  
 421  
 422  
 423  
 424  
 425  
 426  
 427  
 428  
 429  
 430  
 431  
 432  
 433  
 434  
 435  
 436  
 437  
 438  
 439  
 440  
 441  
 442  
 443  
 444  
 445  
 446  
 447  
 448  
 449  
 450  
 451  
 452  
 453  
 454  
 455  
 456  
 457  
 458  
 459  
 460  
 461  
 462  
 463  
 464  
 465  
 466  
 467  
 468  
 469  
 470  
 471  
 472  
 473  
 474  
 475  
 476  
 477  
 478  
 479  
 480  
 481  
 482  
 483  
 484  
 485  
 486  
 487  
 488  
 489  
 490  
 491  
 492  
 493  
 494  
 495  
 496  
 497  
 498  
 499  
 500  
 501  
 502  
 503  
 504  
 505  
 506  
 507  
 508  
 509  
 510  
 511  
 512  
 513  
 514  
 515  
 516  
 517  
 518  
 519  
 520  
 521  
 522  
 523  
 524  
 525

Application Serial No: 85/676823  
Trademark: BADDASS NUTRITION  
Published: April 30, 2012

Opposer hereby makes of record in connection with this opposition a status  
copy of the following United States Trademark Registration:

Registration No.	Mark
3750229	BADA\$\$SUPPLEMENS.COM

The above registration is owned by Opposer and will be relied upon to show that Opposer owns the attached registration and mark shown therein to support the

allegations in the Notice of Opposition. Status and record copies of the registration noted are attached hereto.

Pursuant to 37 CFR § 2.122(d), a federal registration owned by the plaintiff in an opposition and pleaded by the plaintiff in its complaint will be received in evidence and made part of the record in the proceeding if the complaint is accompanied by a current printout of information from the electronic database records of the Office. While Opposer included a copy of a federal registration owned by Opposer in its initial complaint, Opposer submits this Notice of Reliance as a secondary measure of making Opposer's registration of record.

Respectfully submitted,

Dated: July 30, 2014

/cheryl a. clarkin/

Cheryl A. Clarkin  
Barlow, Josephs & Holmes, Ltd.  
101 Dyer Street, 5th Floor  
Providence, RI 02903

*Attorneys for the Opposer,*  
Cardillo, Inc.

---

#### **CERTIFICATE OF SERVICE**

This will hereby certify that a copy of the foregoing OPPOSER'S NOTICE OF RELIANCE has been served on counsel for the Applicant: Richard L. Hill of Durham, Jones & Pinegar, 4844 N. 300 W, Suite 300, Provo, UT 84604, by FIRST CLASS MAIL, postage pre-paid, on this 30th day of July, 2014.

/cheryl a clarkin/

Cheryl A. Clarkin

**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Wed Jul 30 03:20:51 EDT 2014

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)[Logout](#) Please logout when you are done to release system resources allocated for you.**Record 1 out of 1**[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)**BADASSUPPLEMENTS.COM**

<b>Word Mark</b>	BADASSUPPLEMENTS.COM
<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: On-line retail store services featuring a wide variety of vitamins, supplements, nutrition products, and sports nutrition products. FIRST USE: 20061100. FIRST USE IN COMMERCE: 20061100
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Trademark Search Facility Classification Code</b>	CURRENCY Includes Dollar, Cent, and Pound marks NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
<b>Serial Number</b>	77210129
<b>Filing Date</b>	June 19, 2007
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	August 19, 2008
<b>Registration Number</b>	3750229
<b>Registration Date</b>	February 16, 2010
<b>Owner</b>	(REGISTRANT) Cardillo, Inc. CORPORATION MASSACHUSETTS 718 Broadway Everett MASSACHUSETTS 02149

**Attorney of  
Record** Susan Neuberger Weller  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead  
Indicator** LIVE

---

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

---

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)